Remarks

Prior to this Amendment, Claims 1-3 and 6-45 were pending in the present application. Claims 19-45 have been canceled. By this Amendment, Applicant has amended Claims 1 and 12. No new matter was added by this Amendment. Reexamination and reconsideration in view of the amendments and remarks contained herein are respectfully requested.

I. Interview with Examiner

On October 2, 2007, Applicant conducted a telephone interview with the Examiner. The following issues were discussed during the interview: (1) the rejection of Claims 1-3 and 6-18 under U.S.C. 101 for being directed to non-statutory subject matter; and (2) the rejection of claims 1-3 and 6-18 under U.S.C. 103(a) as being unpatentable.

(1) With regard to the rejections under 35 U.S.C. 101, an amendment to Claim 1 was discussed that satisfies the requirements for statutory subject matter. The Examiner indicated that amending the claim to recite hardware such as computer memory would likely be sufficient to overcome the rejection under 35 U.S.C. 101.

(2) With regard to the rejections under 35 U.S.C. 103(a), an amendment to Claim 1 was discussed that included a definition of the word "precedence." The Examiner indicated that the inclusion of this additional language to Claim 1 may make the Claim allowable. However, the Examiner also indicated that the inclusion of such an amendment would require an additional search to be conducted.

II. Objections to the Drawings

The drawings stand objected to due to informalities identified by the Examiner. Applicant has amended the identified informalities and corrected drawings sheets have been provided with this Amendment.

III. Claim Rejections - 35 U.S.C. 101

Claims 1-3 and 6-18 stand rejected as being directed to non-statutory subject matter. Independent Claim 1 has been amended to relate the knowledge base to computer memory. Claim 1 is, therefore, directed to a physical structure and complies with 35 U.S.C. 101.

Claims 2, 3, and 6-18 depend from Claim 1. By amending Claim 1 to comply with 35 U.S.C. 101 and making Claim 1 allowable, dependent Claims 2, 3, and 6-18 are also allowable for at least the same reasons as Claim 1.

IV. Claim Rejections – 35 U.S.C. 103 (a)

A. Claims 1-3, 6-9, and 13-18

Claims 1-3, 6-9, and 13-18 stand rejected as being unpatentable over U.S. Patent No. 6,006,242 issued to Poole et al. (hereinafter referred to as "Poole") in further view of U.S. Published Patent Application No. 2003/0163809 issued to Bantz et al. (hereinafter referred to as "Bantz"). As discussed below in more detail, Poole and Bantz, taken alone or in combination, do not teach or suggest applying precedence to matching document components.

Poole does not teach or suggest "an assembly facility configured to apply precedence and rules to document content...**wherein precedence involves identifying two or more matching document components and dynamically choosing one of the matching components**" as recited in Claim 1. In contrast, Poole discloses resolving entity references by selecting the first matching identifier encountered in a catalog. As previously noted by the Applicant and the Office, Poole discloses that after a "document developer authors a document instance and associates entity references with the document instance...an entity reference is read from the document at step 123. One or more catalogs are searched at step 125 in order to match the entity reference with a corresponding entity identifier stored in a catalog. It is noted that more than one entity identifier and corresponding resolution strategy may be stored in one or more of the catalogs. It is desirable that the resolution strategy of the first matching entity identifier in a catalog be executed" (col. 6, lines 52-63, emphasis added).

Poole further discloses that the "Entity Manager 152 searches for the first occurrence of an entity identifier in the sequence of catalogs that matches the name of the entity reference resolved. Thus, the Entity Manager 152 will implement the first resolution strategy it locates upon determining the occurrence of a matching condition" (col. 16, lines 52-63 emphasis added).

Accordingly, Poole teaches attempting to match an entity reference specified by a document developer with an entity identifier in a catalog. When one or more catalogs include identical entity identifiers, the first matching entity identifier encountered is chosen. However,

choosing the first matching identifier encountered is not applying precedence as it is defined in Claim 1. As described in the present application, the "document assembler pulls document components from the knowledge base that meet the requirements delivered to the document assembler. ... In the event that the document assembler encounters two or more components in the knowledge base that meet the requirements of the needed document, the assembler chooses the document component according to the identity of the entity requesting the document, or, if no matching component is found, according to the identity of one of the entity's parents or ancestors. If no match is found, a default component is provided. This concept is referred to as 'precedence'" (page 3, paragraph 10). Therefore, applying precedence involves identifying two or more "matching" document components and dynamically choosing one of the "matching" components.

Accordingly, the resolution strategy disclosed in Poole, which only finds and selects the single, first matching entity identifier, cannot be considered "applying precedence," as recited in independent Claim 1, since applying precedence involves identifying two or more matching document components and dynamically choosing one of the matching document components.

Bantz does not cure the deficiencies of Poole with respect to applying precedence. Bantz discloses "a method, computer program product, and data processing system for providing automatic, mass-customized preparation of disk images" (abstract). In particular, Bantz discloses providing a "graphical user interface [that] allows the customer to choose among alternative software components to customize the disk image for his or her needs" (paragraph 21, lines 6-8). After the customer provides customer requirements, a "[p]rovisioning engine server 90 retrieves customer requirements...[and] consults knowledge bases 91, 92, and 93 to provide context for the analysis of customer requirements, and transmits a series of provisioning orders...to disk image manufacturing server 110 which will store them on disk 111" (paragraph 29, lines 1-7).

As disclosed in Bantz, "[d]isk image manufacturing server 110 creates disk images on disks 120, 121 and 122 in a manner responsive to the provisioning orders stored on disk 111 and to a knowledge base 112. Knowledge base 112 contains rules pertaining to the construction of disk images in general, as opposed to the knowledge bases 91, 92 and 93, which determine which components of software are to be included in the disk image" (paragraph 31, lines 1-8).

As disclosed in Bantz, rules "that may be found in knowledge base 92" can include if-then rules that specify which software should be chosen for the customer (paragraph 32, lines 1-7 and FIG. 3). Similarly, "rules that may be found in knowledge base 112, pertaining to the construction of disk images in general ... specify where (in what subdirectory) and with what installation options the ... software is to be generated into the disk image" (paragraph 34, lines 1-5). Clearly, Bantz discloses applying rules from one or more knowledge bases to customer requirements in order to determine software and associated software options to be provided to a customer. However, Bantz makes no mention whatsoever of applying precedence to document content.

Therefore, Poole and Bantz, taken alone or in combination, do not teach or suggest "an assembly facility configured to apply precedence and rules to document content by selecting document content and configured to be coupled to an origination platform...wherein precedence involves identifying two or more matching document components and dynamically choosing one of the matching components," as recited in Claim 1.

Accordingly, for at least the reasons set out above, independent Claim 1 is allowable and dependent Claims 2, 3, and 6-18, which depend from independent Claim 1, are also allowable.

B. Claims 10-12

Claims 10-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Poole, in view of Bantz, and in further view of U.S. Patent No. 5,630,127 issued to Moore et al. (hereinafter referred to as "Moore"). Claims 10-12 depend from independent Claim 1 and, therefore, are allowable for at least the reasons set forth above with respect to Claim 1. Nonetheless, Applicant provides additional explanation regarding the allowability of these claims.

As noted, Poole and Bantz do not teach or suggest applying precedence to document content as recited in Claim 1. Moore does not cure the deficiencies of Poole and Bantz. Moore discloses a "rule-based application structure [that] utilizes rules which are stored separately from application programs. The rules are stored in a relational database as objects. A user can modify existing rules and create new rules which are then restored in the database.... Because the rules are separate from the application programs, modifications to the rules are easier to

accomplish" (abstract). As further disclosed in Moore, "[r]ules...will be stored as objects in the database" (col. 4, line 54). During execution, an "application program executes individual rules by locating the object table of the rule stored in the database and then processing that table. The rules are located in the same manner as other data objects stored in the data base. The application program indexes the table based on the rule name" (col. 11, lines 17-22).

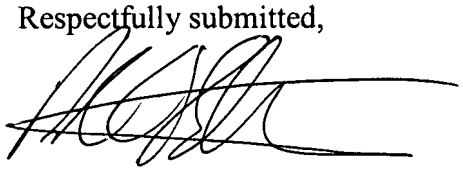
Clearly, among other items, Moore does not teach or suggest applying precedence to document content. In particular, Moore does not teach or suggest applying precedence to rules. In fact, Moore actually teaches away from using precedence with rules since Moore states the rules included in the system are indexed or uniquely identified by the rule's name. As described in the present application, when using the precedence concept, an object that is overridden to create a new customized object, "the new object retains the same name as its precedence parent" (paragraph 68). Clearly precedence, as used in the present application, applies a customized component having the same name or identifier of a default component, when appropriate, rather than the default component. Therefore, the fact that rules included in the Moore system are indexed within a table based on the rule's name or identifier, teaches away from applying precedence with respect to rules.

Accordingly, Claims 10-12 are allowable for at least the additional reasons set forth above.

IV. Conclusion

In light of the above, Applicant believes that the application is in condition for allowance and respectfully requests that a timely Notice of Allowance be issued in this case. Applicant also requests that the Examiner telephone the attorneys of record in the event a telephone discussion would be helpful in advancing the prosecution of the present application.

Respectfully submitted,



Derek C. Stettner
Reg. No. 37,945

File No. 014586-9009-02
Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Suite 3300
Milwaukee, Wisconsin 53202-4108
414.271.6560

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